

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MYRA S. SMITH

Write the full name of each plaintiff or petitioner.

Case No. 20 CV 11136

-against-

THE CITY OF NEW YORK

**NOTICE OF MOTION**

Write the full name of each defendant or respondent.

PLEASE TAKE NOTICE that

PLAINTIFF  
plaintiff or defendant

MYRA S. SMITH  
name of party who is making the motion

requests that the Court: ORDER SOUGHT: RULE 65

OF THE FEDERAL RULES OF CIVIL PROCEDURE GRANTING  
AN INJUNCTION AND RESTRAINING ORDER.

Briefly describe what you want the court to do. You should also include the Federal Rule(s) of Civil Procedure or the statute under which you are making the motion, if you know.

In support of this motion, I submit the following documents (check all that apply):

- a memorandum of law
- my own declaration, affirmation, or affidavit
- the following additional documents: Myra S. Smith v. City of New York

1:20-cv-11136

10 APRIL 2022

Dated

MYRA S. SMITH

Name

Myra S. Smith  
Signature

Prison Identification # (if incarcerated)

919 PARK PLACE #3N, BROOKLYN, NEW YORK

Address

City

11213

State

Zip Code

017 769-5993

Telephone Number (if available)

E-mail Address (if available)

SDNY PROSECUTION  
RECEIVED  
APR 11 2022 PM 2:29  
BY MAIL  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CLERK'S OFFICE

United States District Court  
Southern District of New York

20 cv 11136

MTRA S. SENA, PRACTIC

- August -

## Acknowledgment

City of New York, Plaintiff

State of New York }  
County of New York } ss.

2007 RELEASE UNDER E.O. 14176

I, MIRA S. SMITH, MAKE THE FOLLOWING  
AFFIRMATION UPON THE DOWNTIME OF PERSONAL:

I, Myra S. Shint, Am The Plaintiff In The Above-Entered Action And Respectfully Move This Court To Issue An Order Under Rule 65 Of The Federal Rules Of Civil Procedure. The Relief With I Am Entitled To The Relief I Seek Is The Following:

RULE 65 PERMIT AN INJUNCTION AND  
RESTRAINT TO BE GRANTED TO  
PROTECT THE JURISDICTION OF THIS  
COURT TO MAKE MEDIINEFUL  
RULINGS ON THE MATTER AND  
PREVENT FURTHER irreparable  
INJURY TO PLAINTIFF.

**By May 17, 2022, Defendant shall file a response, not to exceed three pages. So Ordered.**

The Clerk of Court is respectfully directed to serve a copy of this Order on pro se Plaintiff.

Dated: May 13, 2022  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

2

PLAINTIFF MOVES THIS COURT FOR AN  
INJUNCTION AND RESTRAINING ORDER AGAINST  
DEFENDANT, HIS AGENTS AND EMPLOYEES, AND ALL  
PERSONS, FIRMS OR CORPORATIONS ACTING ON  
DEFENDANT'S BEHALF OR UNDER DEFENDANT'S  
CONTROL FROM:

1 - INTERFERING WITH, ALTERING, OR  
DISCONTINUING IN ANY WAY THE NORMAL AND  
USUAL WORKING/LABOR ARRANGEMENT THAT THE  
PLAINTIFF CURRENTLY ENJOYS WITH THE DEFENDANT;

2 - TERMINATING HER EMPLOYMENT, WITH OR  
WITHOUT PAY, DEMOTION OR LOSS POSITION WHICH IS  
PERMANENT, FULL-TIME CONSISTING OF A 35-HOUR WORK  
WEEK FROM MONDAY THROUGH FRIDAY, 0530-1330 Hours,  
AND ON ANY NEGATIVE ACTION TOWARDS HER IN  
HER EMPLOYMENT WITH THE DEFENDANT, PENDING THE  
RESOLUTION BY

A. SETTLEMENT OR

B. COURT ORDER

OF THIS ACTION

3

GROUND FOR ORDER

1 - ON OR ABOUT DECEMBER 30, 2020, PLAINTIFF FILED THE ABOVE COMPLAINT FOR PROTECTION FROM WRONGFUL, ADVERSE TREATMENT BY DEFENDANT.

2 - THERE IS A HIGH PROBABILITY THAT THE PLAINTIFF WILL PROSECUTE THE MERIT OF THIS ACTION, AS ESTABLISHED BY THE ORIGINAL COMPLAINT AND THE ATTACHMENTS THERETO, ALL OF THE PAPERS AND PROCEEDINGS HAD HERETO, WHICH ARE EXPRESSLY INCORPORATED BY REFERENCE INTO THIS MOTION FOR AN INJUNCTION AND RESTRAINING ORDER.

3 - THE ISSUANCE OF AN INJUNCTION AND RESTRAINING ORDER WILL NOT CAUSE ANY DAMAGE, LOSS, OR INCONVENIENCE TO DEFENDANT, BUT WILL PROTECT THE JURISDICTION OF THIS COURT TO MAKE MEANINGFUL RULINGS ON THE MATTER AND WILL PREVENT FURTHER IRREPARABLE INJURY TO PLAINTIFF.

4

4. Counsel for the Defendants Has Been Duly  
Notified That the Plaintiff Will Be Seeking THE  
INJUNCTION AND REINFORCING ORDER, WHICH DOES  
RESULT IN AN AUTOMATIC LOSS OF ANY CHANCE  
TO THE NORMAL AND USUAL WORKERS/LABOR  
ARRANGEMENT Plaintiff Currently ENJOYS WITH  
THE DEFENDANT.

SUPPLEMENTAL MATERIAL

This REQUEST IS BASED UPON THIS DOCUMENT,  
THE COMPLAINT, ALL OTHER PAPERS AND RECORDS ON  
FILE IN THIS ACTION, AND ON WHATEVER MAY  
BE DEEMED JUST AND PROPER BY THIS COURT.

Dated: 10 May 2022

Bronx, New York

Myr/Smil

MARY S. SMITH, ATTORNEY, PROSE

919 PARK PLACE, #3M

Bronx, New York 11213

(917) 769-5993

(718) 771-2048

To: Gerardo M. RESTAÑA

Corporation Counsel of

The City of New York

By: Aben Z. Shurin,

Assistant Corporation Counsel

Attorney for DEFENDANT

100 CHURCH STREET

New York, New York 10007

Telephone: (212) 356-2386

AFFIRMATION OF SERVICE

I, MYRA S. SMITH, declare, under penalty of perjury, that I have served a copy of the foregoing document, NOTICE OF MOTION AND AFFIDAVIT, as follows:

GEORGIA M. PESTANA  
CORPORATION COUNSEL OF THE CITY OF NEW YORK  
By: Abed Z. Bhuyan, Assistant Corporation Counsel  
Attorney for Defendant  
100 Church Street  
New York, New York 10007  
Telephone: (212) 356-2386

by the following method:

       U.S. MAIL

X        Hand Delivery

       Federal Express, United Parcel Service, or some other private courier.

DATED: Brooklyn, New York  
*to May 12, 2022*

Myra S. Smith  
MYRA S. SMITH, Plaintiff, *Pro Se*  
919 Park Place, No. 3-M  
Brooklyn, New York 11213  
Telephone/Facsimile: (718)771-2048  
Home/Cellular: (917) 771-2048